IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 837 OF 2004

Gopal Krishna Sengupta .. Petitioner

V/s

The Commissioner of Police,
Mumbai and Ors. .. Respondents

Mr.P.M. Rahate for the Petitioner.

Ms. P.H. Kantharia, A.P.P. for the Respondents.

CORAM : H.L. GOKHALE &
SMT.V.K. TAHILRAMANI, JJ.

DATE : 23RD AUGUST 2004

P.C. :

1. Heard the petitioner in person as well as Mr.Rahate, Advocate for the petitioner.

2. The petition seeks a direction to respondent No.1, i.e. Commissioner of Police, to produce the record as to how Share Certificate No.72893 changed hands from time to time. On pointing out to the petitioner and his learned counsel that there cannot lie a petition simpliciter for this document, they have agreed to withdraw this petition and have prayed accordingly. The petitioner has stated that he may challenge the order passed by Sessions Court which is running against him and in that proceeding he may make this prayer. He may take appropriate proceeding for that. He seeks to withdraw this petition.

Petition disposed of as not pressed.

3. On the last date when this petition was heard by an earlier Division Bench, i.e. on 19th July 2004, that Bench had issued a notice to the petitioner as well as to Mr.Rahate, learned counsel for the petitioner in view of the intemperate language that has been used in the petition. The petitioner as well as Mr.Rahate have filed their affidavit expressing their regret unconditionally for the language that has been used. We accept their statements and discharge the notice that has been issued to both of them.

(H.L. GOKHALE, J.)

(SMT.V.K. TAHILRAMANI, J.)